

The Kentucky Board of Licensure for
Marriage and Family Therapists
November 21, 2013
Minutes

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The regular scheduled meeting of the Kentucky Board of Licensure of Marriage and Family Therapists was held at the Office of Occupations and Professions, 911 Leawood Drive, Frankfort, Kentucky on November 21, 2013.

Board Members Present:

Ms. Sandy Miller, Chair
Ms. Carolyn Miller-Cooper
Ms. Mary Badami
Ms. Marie Ruf
Ms. Mary Ellen Yates
Ms. Jane Prouty

Occupations and Professions:

Marcia Egbert, Board Administrator

Office of the Attorney General:

Jim Grawe, Attorney substituting for
Angela Evans

Board Members Absent:

Mr. Richard Hamon

Guest

Allison Hock, Licensee (Attended Reviews)

Chair Sandra Miller called the meeting to order at 10:09 a.m.

The Board reviewed minutes from October 24, 2013. Following review and discussion Mary Ellen Yates made a motion to accept the minutes with revisions. Carolyn Miller-Cooper seconded the motion. The motion carried unanimously.

The Board reviewed the FY14 Monthly Financial Report for July 1, 2013 through October 31, 2013. Marie Ruf made a motion to accept the report. Carolyn Miller-Cooper seconded the motion. The motion passed unanimously.

Attorney Report

Angela Evans was absent from the meeting. She was represented by Jim Grawe. There was no report submitted.

O & P Report

Marcia Egbert reported the following on behalf of Executive Director Gordon Slone:

Executive Director

Gordon Slone was appointed as Executive Director for O&P as of October 16, 2013 with the goal of bringing long-term continuity and a high level of service to the Office of Occupations and Professions. He has been an attorney for the Commonwealth for over 20 years and the last five of those years have been with the Public Protection Cabinet,

where he has had the good fortune of working with Secretary Vance and his Cabinet staff. He stated, "It will be my pleasure to work with you."

Database / On-line License Renewal Project

O&P has on-line and internal software applications for performing renewals, payment processing, and reporting for licensing and certifications for 23 participating boards. The software applications are written in an outdated design, have had issues regarding the exposure of personally identifying information, and have limitations on functionality. O&P has an agreement with the Commonwealth Office of Technology (COT) to provide a modernized, flexible and secure tool for a faster and more streamlined process for its on-line and internal software applications.

The O&P staff has been working with COT to determine how to update the on-line license renewal part of the system, primarily the license renewal forms and submission process. The COT team has shown us "mock-ups" of what the screens will look like for licensees and we have made recommendations on the mock-ups to ensure that the process will comply with the boards' statutes, regulations and forms, while still offering the best possible on-line renewal experience.

The O&P staff may be bringing issues to you and the board attorneys to ensure that the mock-ups are ready to be given to COT's development team. While each phase of application development is important, it is critical for the mock-ups to be as correct as possible. Any errors or desired changes will become more difficult and extremely expensive if they are not identified prior to transferring the project on to COT's design team. The recent problems with the federal healthcare exchange website provide an example of what can go wrong when software applications are not ready to be fielded. Please be aware that any delays in putting the new software applications into operation are due to the goal of having them correct.

Budget

The biennial budget for the Office of O&P has been submitted and the Boards' budgets have also been submitted to the Office of State Budget Director, with copies to the Legislative Research Commission. While O&P does not expect the level of increases to the Boards' budgets that were necessary during the last budget cycle, the budgets are subject to modification by the Office of State Budget Director. The budgets will be shared with the individual Boards once they are finalized. Should you have questions regarding the budget process, please contact Susan Ellis, 564-3296, ext. 231.

Wireless Internet

The Wi-Fi system is up and running. The Board Administrators will be giving you additional information on its use.

2014 Board Dates

The Board Administrators will be working with you to establish dates for your 2014 Board meetings. As a helpful reminder, if you are considering changing the day/time of your meetings, please include the board administrator in discussions so that we ensure we can cover your meetings as well as the others assigned to each board administrator.

Ms. Egbert reported that the dates for the Marriage and Family Therapy Board have already been placed on the Master Calendar of the O&P Office.

If you have any questions regarding this report, please do not hesitate to contact Mr. Slone at gordon.slone@ky.gov or 502-564-3296 ext. 224.

Old Business

Responses to Old Business from last month's meeting were reviewed and discussed. The Board asked that Ms. Egbert delete the December 2, 2014 date from the list of meeting dates. Ms. Miller asked to add the e-mail from Rep. Dwight Butler's aide, Chris Abner to the New Business as she has information to discuss with the Board regarding this issue. No further action was taken.

New Business

The Board discussed the Frequently Asked Questions that Ms. Egbert has received as of this meeting. Ms. Miller deferred further discussion to the December meeting. She asked the Board Members to take the ones in their packets home and review them. Ms. Egbert will forward any others that she receives to the Board for review.

The Revised Forms were discussed extensively. There were several changes made and Ms. Egbert will make the corrections on the forms. Jane Prouty will make all the changes on the MFT License and Renewal Forms.

The Board discussed the refund of renewal application fees to John Mark Jennings. The Board stated that all fees are non-refundable. Ms. Egbert will report to Mr. Jennings.

The Board received an e-mail from Zuzana Gassova requesting information in regard to online therapy and supervision. The Board referred Ms. Gassova to KRS 338.380 Duty of treating marriage and family therapist utilizing telehealth to ensure patient's informed consent and maintain confidentiality – Board to promulgate administrative regulations – Definition of "telehealth." The Board stated that at this time there are no regulations established regarding the provision of online therapy for out of state clients. The response to her question in regard to issuing a temporary/guest license for mental health professionals licensed in a different state or special case permission be possible for marriage and family therapists when doing online sessions would also be no.

The Board received an e-mail from Jesse Vice requesting clarification about group supervision. The Board responded that if three to six Marriage and Family Therapy Associates are in a group with their Board Approved Supervisor, and other licensed Marriage and Family Therapists and/or licensees from another mental health profession are also in attendance, the Associates may count this experience as Group Supervision. But, the burden is on the Board Approved Supervisor to make sure that the supervision of the Associates meets the requirements of Clinical Supervision as defined in 201 KAR 32:035.

The Board acknowledged the resignation of Sandy Miller as the Board Chair effective January 23, 2014. Ms. Miller stated that her resignation has been received by the Governor's Office and they are in the process of looking for a replacement. The Board expressed to Ms. Miller that they hated to see her go and thanked her for all the time she has spent on the Board. She will be missed.

An e-mail was received from Thomas M. Butler, IMFT and Bette Haines, Counseling Intake and Administrator from Ohio requesting information on conducting therapy over the internet in Kentucky. He stated that his goal is to counsel those who are Ohio residents visiting as vacationers or college students for the school year. He wants to know if Kentucky regulations, policies and procedures permits him to do so and the guidelines that he would need to follow in order to remain in compliance with the requirements of Kentucky. The Board's response was that to provide therapy as a Marriage and Family Therapist in Kentucky would require Kentucky licensure.

An e-mail was received from Ariel Givens stating that she will be doing contract work through an agency in Indiana and wants to know if she could count these hours as client hours. The Board responded that she could. She also stated that her husband was from Spain and they will be spending part of the year there. She wanted to ensure that this would not pose a problem for her licensure after she was licensed. The Board responded that if she had a full licensure, it would not pose a problem as long as she met the requirements for renewal and renewed her license prior to its expiration date. If she had an Associate's license, it would pose a problem because she would not be able to obtain the four (4) hours per month of face to face supervision required for licensure. If she doesn't meet the four (4) hours per month of face to face supervision, her license would be terminated and she would have to reapply for licensure upon her return to the States.

The Board received an e-mail from Jennifer Woods with a question as to whether or not the supervision hours she obtained in Pennsylvania would be acceptable in Kentucky. The Board stated that they would need additional information in order to give her an answer. The Board stated that she would need to submit a completed application including all requirements for review by the Board.

The Board reviewed an e-mail from Michael Taylor with several questions regarding Long Distance Therapy via the Internet. They instructed Ms. Egbert to inform Mr. Taylor that he would need to meet Kentucky's law KRS 335.380 pertaining to Telehealth in Kentucky. Mr. Taylor also asked if Kentucky has the same restrictions that AAMFT has pertaining to online supervision. The Board directed Ms. Egbert to refer Mr. Taylor to KAR 32:035, Section 3, which states that supervision in Kentucky must be face to face.

Sandy Miller informed the Board that she did some follow-up on the decision of the Board in regard to the licensing of Melissa Earnest as an Associate. The Kentucky Board had stated that Ms. Earnest did not meet the Kentucky requirements of contact hours as determined from the documentation that Ms. Earnest sent in originally of her

client contact hours obtained in Oklahoma. The Board's result was that Ms. Earnest would be required to either take another class in Psychopathology or she would have to count the first 150 contact hours toward her practicum. As a result of this decision, Ms. Earnest contested the Board's decision to Representative Dwight Taylor through his aide, Chris Abner. Ms. Egbert contacted Mr. Abner following the last meeting and informed him that the Board stood by their decision and if Ms. Earnest wanted to submit additional documentation from Oklahoma, the Board would review the information and see if the result of the review would make a difference. Ms. Earnest submitted additional information that showed that she did have 126.0 hours of the required client hours. Therefore, it was determined that Ms. Earnest would need to complete only 24 additional hours before she started counting hours to be applied to the required 1,000 contact hours that an Associate needed to apply for full licensure. The Board would like to request that Ms. Earnest supply them with an explanation of her supervision hours and how they are more than her contact hours. Ms. Egbert will contact Mr. Abner with the result of the review of additional information.

Ms. Egbert received an e-mail from Arpita Eusebius asking for guidance on how to handle her supervision during an extended stay out of the country. Ms. Egbert informed her that supervision must be face to face so there would be no way to obtain supervision while Ms. Eusebius was out of the country. She has requested approval from the Board to travel to India for three months and to retain her license as a Marriage and Family Therapy Associate while she is gone. The Board has agreed that Ms. Eusebius has an extenuating circumstance and has given her approval to retain her Associate permit while she is out of the country. Ms. Eusebius will be required to make up the 12.0 hours of supervision that she will miss prior to her renewal date in September, 2014. Ms. Egbert will contact Ms. Eusebius and her supervisor Mary Ortwein and inform them of the Board's decision.

The Board instructed Ms. Egbert to send letters to those Board Approved Supervisors that submitted the required CEU's to maintain their status confirming that they would retain their status Board/AAMFT Approved Supervisors. Those current supervisors that did not submit the required CEU's during the Open Window will also receive a letter stating that they have until December 31, 2013 to supply the Office with proof that they have taken the CEU requirements for supervisor status for 2014.

Complaints/Other Legal Matters

Mary Badami made a motion that the Board go into closed session pursuant to KRS 61.810 (1)(j) for deliberations of judicial or quasi-judicial bodies regarding individual adjudications or appointments, at which neither the person involved, his representatives, nor any other individual not a member of the agency's governing body or staff is present. Mary Ellen Yates seconded the motion. The motion carried unanimously.

Mary Badami moved that the Board come out of closed session. Mary Ellen Yates seconded the motion. The motion was approved unanimously.

The Complaint Committee made the following recommendations:

- a. 2011-007 – File Formal Complaint
- b. 2013-003 – File Formal Complaint
- c. 2013-004 – Pending –
- d. 2013-006 – File Formal Complaint
- e. 2013-007 – Pending
- f. Complaint forwarded to the MFT Board from the Psychology Board for review to see if a complaint needs to be filed by the MFT Board – The Committee stated that they do not request that a complaint be filed on behalf of the Board.

Marie Ruf made a motion to accept the recommendations of the Complaint Committee to include the disposition of information forwarded to the Board from the Psychology Board that was assigned #2013-008 in error. Mary Ellen Yates seconded the motion. The motion carried unanimously.

Status Report:

Active Licensee's for Marriage and Family Therapy	– 529
Active Licensee's for Marriage and Family Therapy Associates	– 130
Total Active Licensee's	– 659

Total number of inactive licensees	– 4
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No Exam Results this month.

Application Review:

Mary Badami made a motion to approve all applications, renewals, audits and CEU Provider Applications as reviewed and recommended by the committee this morning prior to the Board Meeting. Mary Ellen Yates seconded the motion. The motion passed unanimously.

Mary Badami made a motion to approve the ratification of applications, renewals, audits and Provider Applications reviewed following the last Board meeting and prior to this meeting. Mary Ellen Yates seconded the motion. The motion passed unanimously.

Associates:

The following applications for Marriage and Family Therapist Associates were approved: *Jillian P. Hord and Emily J. Keal*

The following application for Marriage and Family Therapist Associate was deferred: *Elizabeth A. Johnson*

The following Plans of Supervision for Marriage and Family Therapist Associates were approved: *Amanda Dishon Brown, Daniel S. Hall, Edith Mahaffey, Sheree Malone, Camilla Smith*

The following Renewals for Marriage and Family Therapist Associates were approved: *Terry Baker, V. Nicole Jones, Melissa Smith*

The following Renewal for Marriage and Family Therapist Associate was approved with provisions: *Michelle Brimm*

LMFT:

The following applications for licensed Marriage and Family Therapists were approved: *Tonya Clay, Sara Elizabeth Collins, Craig A. Herink, Allison Christine Hock, Brittani Hoyer*

The following Renewal Audits for Marriage and Family Therapist were approved: *Marcia Malone Bell, Amanda Blackburn, Erin Elizabeth Heck, C. Nicole Williams*

The following application for licensed Marriage and Family Therapist was deferred: *Jean D. Koehler*

The following application for reinstatement as a licensed Marriage and Family Therapist was approved: *Leigh Edward Conver*

Ratification of Online Renewals from 10/24/2013 through 11/21/2013 for Marriage and Family Therapist were approved: *Lisa Heller Bass, Sara Elizabeth Blakeslee, Michele B. Blevins, Bonnie Sue Boyce, Jean Amos Campbell, Jerry L. Cantrell, Marydora Conley, Leigh Edward Conver, Judy Evans Daniel, Elizabeth L. David, Susan B. Davisson, Michelle Dever Deaton, Rosemary DeFrancisci, Donna B. Farrar, Laura M. Frey, George B. Haarman, Julie Lippy Hansen, Kenneth Irwin Haysley, Winifred Anne Hoskins, William D. Jones, Jason Donald Elwyn Joy, Margie Kommor, Anne Mason, Kathy Lashbrook Miles, Virginia J. Monti, Jane S. Myers, Frances Neal, Donald Read Nims, F. Keith Page, Dawn Pendleton, Joe Bob Pierce, Lisa Rae Rice, Matthew David Roberts, Rhea Alison Rogers-Keith, James Robert Ross, Marie S. Ruf, Jennifer Irene Schinke, Sharon S. Shapanus, Lonna Dione Smith, Emma M. Sterrett, Fred E. Stickle, Julianne V. Sutter, Janet G. Tharpe, Roger Dale Thompson, Maureen A. Walker, Jennifer Nicole Wheeler, Brenda Mills Whelan, Barry G. Winstead*

Approved Continuing Education Applications are posted on the website at <http://mft.ky.gov> under Resources/Continuing Education.

The next meeting of the Marriage and Family Therapy Board has been scheduled for December 19, 2013 at 911 Leawood Drive, Frankfort, KY. Committees will meet at 8:30 a.m. with the Board Meeting to follow at 10:00 a.m.

Marie Ruf made a motion that Travel and Per Diem be paid to those who attended the regular Board Meeting on November 21, 2013. Mary Badami seconded the motion. The motion passed unanimously.

The Marriage and Family Therapy Board meeting was adjourned by Chair Sandy Miller at 3:29 p.m.

Respectively Submitted:

Marcia Egbert
Board Administrator